

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**JOHN DOE,  
Plaintiff**

**v.**

**UNITED STATES OF AMERICA,  
Defendant**

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**No. 1:19-cv-1673**

**(Judge Kane)**

**ORDER**

**AND NOW**, on this 21st day of November 2019, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. Plaintiff's motion for leave to proceed in forma pauperis (Doc. No. 12) is **GRANTED**;
2. Plaintiff shall pay the full filing fee of \$350.00, based on the financial information provided in the application to proceed in forma pauperis. The full filing fee shall be paid regardless of the outcome of the litigation;
3. Pursuant to 28 U.S.C. § 1915(b)(1) and (2), the Superintendent/Warden, or other appropriate official at Plaintiff's place of confinement is directed to deduct an initial partial filing fee of 20% of the greater of:
  - a. The average monthly deposits in the inmate's prison account for the past six months, or
  - b. The average monthly balance in the inmate's prison account for the past six months.

The initial partial filing fee shall be forwarded to the Clerk of the United States District Court for the Middle District of Pennsylvania, P.O. Box 1148, Scranton, Pennsylvania, 18501-1148, to be credited to the above-captioned docket number. In each succeeding month, when the amount in Plaintiff's inmate trust fund account exceeds \$10.00, the Superintendent/Warden, or other appropriate official, shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to plaintiff's inmate trust fund account until the fees are paid. Each payment shall reference the above-captioned docket number;

4. The Clerk of Court is directed to forward a copy of this Order to the Superintendent/Warden of the institution where Plaintiff is presently confined;
5. The complaint (Doc. No. 1) is **DEEMED FILED**;
6. Plaintiff's motion for leave to proceed under a John Doe pseudonym (Doc. Nos. 2, 6) is **GRANTED**. The parties are directed to use Plaintiff's pseudonym in all future documents filed in the above-captioned case;
7. The Clerk of Court is directed to place Plaintiff's complaint (Doc. No. 1), prisoner trust fund account statement (Doc. No. 3), the Court's October 21, 2019 administrative Order (Doc. No. 11), and Plaintiff's motion for leave to proceed in forma pauperis (Doc. No. 12) under seal pending further Order of this Court;
8. In accordance with Federal Rule of Civil Procedure 4(c)(3), the Clerk of Court is directed to issue summonses with a copy of Plaintiff's complaint (Doc. No. 1) and this Order to the United States Marshal for service upon Defendant United States of America in accordance with Rule 4(i)(1) of the Federal Rules of Civil Procedure; and
9. If service is unable to be completed due to Plaintiff's failure to properly name the Defendant(s) or provide an accurate mailing address for the Defendant(s), Plaintiff will be required to correct this deficiency. Failure to comply may result in the dismissal of Plaintiff's claims against the Defendant(s) pursuant to Federal Rule of Civil Procedure 4(m).

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania